

for examination, new claims 7-12 are being submitted herewith.

The only issues which remained after the Decision by the Board of Appeals were both under 35 USC 112, first paragraph. It is assumed that these are the only issues to be considered.

The Board stated on page 7 of their opinion that "[w]e find no express teaching in the original disclosure, including the original claims, that at the end of appellants' process the boss 6 and the annular flat portion 5 or the boss 6, the annular flat portion 5 and the peripheral wall 7 have substantially the same thickness." This then is the basis of the Board's affirmance of the rejection under 35 USC 112, first paragraph.

One part of the application was not noted by the Board, and that is the drawings as originally filed. The various figures show that the parts listed above in fact do have the same thickness, and the drawings do form a part of the disclosure which would amount to an "express teaching" which the Board found lacking. See *Shaffer Tool Works v. Joy Manufacturing Co.*, 193 USPQ 115 (DC Stex).

The Board also stated on page 14 that "[t]he specification does not teach how the metallic blank can be drawn, while at the same time producing a final rotary member which includes a boss and an annular flange of equal thickness."

There is no reason to believe that a drawing step necessarily causes the wall thickness of the blank to be reduced. Drawing will cause material to flow but it can do so and still maintain thickness. It is true that when wire is drawn through a die its diameter is reduced, but the method disclosed herein is not one that draws *through* a die but rather *with* a die. The difference is significant.

Submitted herewith are six (6) samples of results of various steps depicting Figs 1A, 2B, 3B, 4B, 5B and 6B of the drawings. These samples clearly show that the wall thickness is uniform throughout starting with the blank (Fig. 1A) to the partially finished part (Fig. 6B). A comparison of the plate (Fig. 1A) and the part (Fig. 6B) shows that they have the same wall thickness.

New claims 7-12, which correspond to claims 1-6 on appeal are believed to comply with the provisions of 35 USC 112 and should be allowed.

Respectfully submitted,



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